

LIMITED SOURCES JUSTIFICATION

ORDER >\$3,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 618-14-2-040-0424

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source: Provide original manufacturer's name for material or contractor's name for service. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer/Contractor: Philips Healthcare, a division of Penac

Manufacturer/Contractor POC & phone number: 978-659-4278 – Paula Sollazzo

Mfgr/Contractor Address: 3000 Minuteman Road MSO 077, Andover, MA 01810-1099

Dealer/Rep address/phone number: Colin McBain

☐ The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

VA Midwest Healthcare Network

VISN:

23

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

The Minneapolis VA is seeking to increase its Phillips Healthcare defibrillators.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

Supplies to be purchased include the following: HeartStart MRx Monitor/defibrillator (unit number M3535A 861288). Defibrillator Accessory Pouch (M4751A 989803121371) . HeartStart MRx SpO2 (M3530A 861301). HeartStart MRx NBP upgrade (M3531A 861302). Heartstart MRx etCO2 upgrade (M3532A 861303). Event Pro 4.0x and ECR education and implantation.

(b) ESTIMATED DOLLAR VALUE: \$392,903.89

(c) REQUIRED DELIVERY DATE: 5/15/2014

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE. (CHECK ALL THAT APPLY AND COMPLETE)

☐ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

☐ A patent, copyright or proprietary data limits competition. The proprietary data is:
(If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

☐ These are "direct replacements" parts/components for existing equipment.

☐ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

☒ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

On June 21, 2013 Philips Healthcare a Division of PENAC was awarded a \$3,019,706.49 delivery order for Defibrillator and AED equipment (VA263-13-F-1524). This award was solicited to VA FSS contract holders via FEDBID, solicitation number VA263-13-Q-0003. Multiple vendors submitted quotes for this solicitation and through a panel of technical expert reviews, past performance reviews, and price reviews, the contract was awarded to Philips. Since award the hospitals have expressed a need for additional units.

☐ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

The GSA Contracting officer has already determined the prices to be fair and reasonable IAW FAR 8.404(d).

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

FAR Part 10 directs that market research be conducted on each acquisition appropriate to the circumstance. Research results serve to confirm that Philips Healthcare products are the best to be chosen for this award. Since this order is a follow on to a recent order, market research was not conducted.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

VISN 23 has previously purchased, installed and trained on Philips Healthcare Defibrillators. VHA Directive 1761.1 and VHA Handbook 1761.1 - Standardization of Supplies and Equipment procedures (July 17, 2003) mandates that VHA must standardize the types and categories of the supplies and equipment it purchases to the maximum extent possible consistent with patient care and practitioner needs, for Commercially off the shelf (COTS) items available from the Federal Supply Schedule (FSS) - MAS Schedule / SIN 65 II A/ A-59; Standardization presents significant opportunities for direct and indirect financial savings by reducing variation in items procured, improved clinical participation and acceptance of standardization efforts, decreasing inventory while increasing product velocity, and creating supply cost savings or avoidance as well as potential volume discounts from manufacturers/authorized distributors; Improved training curve, as employees (and contractors) can be transferred between treatment areas without additional training.

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

After lifecycle of equipment is up, the Contract will be re-competed.

(9) REQUIREMENTS CERTIFICATION: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

Angela L. Mulinix 4/4/14
SIGNATURE DATE
Angela Mulinix VISN 23 Biomedical Engineer Biomedical Engineering
NAME TITLE SERVICE LINE/SECTION
VISN 23
FACILITY

(10) APPROVALS IN ACCORDANCE WITH FAR 8.405-6(d):

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

[Signature] 4/7/2014
CONTRACTING OFFICER'S SIGNATURE DATE
Lance Haman, Contracting Officer Network 23 Contracting Officer
NAME AND TITLE FACILITY

c. NCM/PCM/DESIGNEE: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

[Signature] 4/7/14
SIGNATURE DATE
CHRISTOPHER VOIK
Pw Scott Petrin
Facility Contract Manager, Fargo VA - NCO 23
acting